

10/510173  
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DT07 Rec'd PCT/PTO 16 NOV 2004

FORM PTO 1390 (REV 11-2000)		U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE		ATTORNEY'S DOCKET NUMBER HUBR-1271-US	
TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371				U.S. APPLICATION NO. (if known, see 37 CFR 1.5) 10/510,172	
INTERNATIONAL APPLICATION NO. PCT/EP03/03501		INTERNATIONAL FILING DATE April 3, 2003		PRIORITY DATE CLAIMED April 5, 2002	
USE OF CREATINE PYRUVATE FOR INCREASING STAMINA DURING HIGHLY INTENSIVE INTERMITTENT PHYSICAL EXERTION					
APPLICANT(S) FOR DO/EO/US Jager, et al.					
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:					
<p>1. <input type="checkbox"/> This is a <b>FIRST</b> submission of items concerning a filing under 35 U.S.C. 371.</p> <p>2. <input checked="" type="checkbox"/> This is a <b>SECOND</b> or <b>SUBSEQUENT</b> submission of items concerning a filing 35 U.S.C. 371</p> <p>3. <input type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371 (f)). The submission must include items (5), (6), (9) and (21) indicated below.</p> <p>4. <input type="checkbox"/> The US has been elected by the expiration of 19 months from the priority date (PCT Article 31).</p> <p>5. <input type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371 (c)(2))</p> <p>a. <input type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau).</p> <p>b. <input type="checkbox"/> has been communicated by the International Bureau.</p> <p>c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US).</p> <p>6. <input type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371 (c)(2)).</p> <p>a. <input type="checkbox"/> is attached hereto.</p> <p>b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4).</p> <p>7. <input type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3))</p> <p>a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau).</p> <p>b. <input type="checkbox"/> have been communicated by the International Bureau.</p> <p>c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired.</p> <p>d. <input type="checkbox"/> have not been made and will not be made.</p> <p>8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371 (c)(3)).</p> <p>9. <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)). (unsigned)</p> <p>10. <input type="checkbox"/> An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)).</p> <p>Items 11 to 20 below concern document(s) or information included:</p> <p>11. <input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.</p> <p>12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.</p> <p>13. <input type="checkbox"/> A <b>FIRST</b> preliminary amendment.</p> <p>14. <input type="checkbox"/> A <b>SECOND</b> or <b>SUBSEQUENT</b> preliminary amendment.</p> <p>15. <input type="checkbox"/> A substitute specification.</p> <p>16. <input type="checkbox"/> A change of power of attorney and/or address letter.</p> <p>17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 35 U.S.C. 1.821 - 1.825.</p> <p>18. <input type="checkbox"/> A second copy of the published international application under 35 U.S.C. 154(d)(4).</p> <p>20. <input checked="" type="checkbox"/> Other items or information Notification of the Recording of a change</p>					

Form PTO-1390 (REV 12-20-00)

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U.S. APPLICATION NO. (If known, see 37 CFR 1.5) <b>10/510,173</b>		INTERNATIONAL APPLICATION NO. <b>PCT/EP03/03501</b>		ATTORNEY'S DOCKET NUMBER <b>HUBR-1271</b>	
17. <input checked="" type="checkbox"/> The following fees are submitted:				<b>CALCULATIONS PTO USE ONLY</b>	
<b>BASIC NATIONAL FEE (37 CFR 1.492 (a) (1) - (5)):</b> <input type="checkbox"/> Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO And International Search Report not prepared by the EPO or JPO ..... \$1080.00 <input type="checkbox"/> International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report will be prepared by the EPO or JPO ..... \$950.00 <input type="checkbox"/> International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO ..... \$770.00 <input type="checkbox"/> International preliminary examination fee (37 CFR 1.482) paid to USPTO but all claims did not satisfy provisions of PCT Article 33(1)-(4) ..... \$730.00 <input type="checkbox"/> International preliminary examination fee (37 CFR 1.482) paid to USPTO And all claims satisfied provisions of PCT Article 33(1)-(4) ..... \$100.00					
ENTER APPROPRIATE BASIC FEE AMOUNT =					
Surcharge of \$ _____ for furnishing the oath or declaration later than					
<input type="checkbox"/> 20 <input checked="" type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492 (e)).					
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE		
Total claims	20 =	9	18		
Independent claims	1-3 =	0	X		
MULTIPLE DEPENDENT CLAIM(s) (if applicable)			X		
TOTAL OF ABOVE CALCULATIONS =					
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above Are reduced by 1/2.					
SUBTOTAL =					
Processing fee of \$ _____ For furnishing the English translation later than					
<input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492 (f)). +					
TOTAL NATIONAL FEE =					
Fee for recording the enclosed assignment (37 CFR 1.21 (h)). Assignment Must be accompanied by appropriate cover sheet (37 CFR 3.28, 3.31) +					
( _____ Per property).					
TOTAL FEES ENCLOSED =					
				Amount to be Refunded: \$	
				Charged: \$	
<input type="checkbox"/> A check in the amount of \$ _____ b. <input type="checkbox"/> Please charge my Deposit Account No. _____ in the amount of \$ _____ To cover the above fees. A duplicate copy of this sheet is enclosed. c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required or credit Any overpayment to my Deposit Account No. <u>50-0624</u> . A duplicate copy of this sheet is enclosed.					
NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137 (a) or (b)) must be filed and granted to restore the application to pending status.					
SEND ALL CORRESPONDENCE TO: Customer No. 24972					
James R. Crawford					
FULBRIGHT & JAWORSKI L.L.P.					
666 Fifth Avenue					
New York, New York 10103					
(212) 318-3148					
				SIGNATURE: <u>James R. Crawford</u>	
				NAME: <u>James R. Crawford</u>	
				39,155	

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This mail is being sent by facsimile to 1-703-872-9306 addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA.  
22313-1450

On 11/16/04

*Eileen Sheffield*  
By Eileen Sheffield

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PAGE 1/8 \* RCVD AT 11/16/2004 10:57:09 AM [Eastern Standard Time] \* SVR:USPTO-EFXXRF-1/1 \* DNIS:8729306 \* CSID:212 318 3400 \* DURATION (mm-ss):02:36

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